IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

OP.No. 25634 of 2000(B)

PETITIONER:

SUBBALAKSHMY,
WIDOW OF K.C.MARUTHAN,
RESIDING AT ARYAVAIDYA PHARMACY ROAD,
KANJIKODE,
PUDUSSERY AMSOM,
PALAKKAD TALUK.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON

RESPONDENT:

THE ASSISTANT PROVIDENT FUND COMMISSIONER,
BHAVISHYANIDHI BHAVAN,
POST BOX NO.1806,
ERANHIPALAM P.O.,
KOZHIKKODE
PIN-673 006.

BY ADV. SRI.N.N.SUGUNAPALAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1- TRUE COPY OF THE LETTER ISSUED BY THE RESPONDENT DATED 8-11-1998.

H.L.DATTU, C.J. & K.T.SANKARAN, J.

O.P.No.25634 of 2000-B

Dated this the 26th day of September, 2007.

J U D G M E N T

H.L.Dattu, C.J.

The main reliefs sought for in this original petition are as under:

> *(i). Call for the records leading to the issue of Ext.P1 and quash the same by the issue of a writ of certiorari or other appropriate writ, order or direction;*
>
> *(ii). Issue a writ in the nature of mandamus directing the respondent to treat the petitioner as the legal guardian of Karthikeyan for the purpose of Children Pension; and*
>
> *(iii). Issue a writ in the nature of mandamus directing the respondent to credit the Children Pension due to Karthikeyan in the account of the petitioner.*

(2). This Court, while entertaining the original petition has passed a detailed order on C.M.P.No.43244 of 2000, filed along with the original petition. In our opinion, the interim order passed by this Court by itself is the final order. Therefore, the following:

O R D E R

(i). The Original Petition is disposed of.

(ii). The interim order passed by this Court itself is the final order in this original petition.

(3). In view of the order passed in the original petition, C.M.P.No.43244 of 2000 is closed.

Ordered accordingly.

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS